

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

ALAN KAUFMAN,

Plaintiff,

v.

AMERICAN BROADCASTING  
COMPANIES, INC., FINNMAX LLC, SONY  
PICTURES TELEVISION INC., COMCAST  
CORPORATION,

Defendants.

CIVIL ACTION NO. 16-12027

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§1441 et seq., Defendants jointly file this Notice of Removal and states as follows:

1. Defendants are parties to an action commenced against them by the Plaintiff, pending in the Superior Court Department of the Trial Court of the Commonwealth of Massachusetts for Suffolk County captioned Alan Kaufman v. American Broadcasting Company Inc., et al., Civil Action No. 16-2795D (the “state action”). True copies of all process, pleadings and orders served on Defendants in the state action are attached hereto and incorporated herein as Exhibit A.
2. In the state court Complaint, Plaintiff alleges that he resides in Suffolk County, Massachusetts.

3. Defendant American Broadcasting Companies, Inc. is a Delaware corporation, with its principal place of business in New York.<sup>1</sup>
4. Defendant Finnmax LLC, is a California limited liability company, with its principal place of business in California.<sup>2</sup> None of its direct or indirect members are citizens of Massachusetts.
5. Defendant Sony Pictures Television Inc. is a Delaware corporation, with its principal place of business in California.<sup>3</sup>
6. Defendant Comcast Corporation is a Pennsylvania corporation, with its principal place of business in Pennsylvania.
7. There is, therefore, complete diversity of citizenship.
8. In the state court Complaint, Plaintiff requested damages of at least \$500,000 plus interest.
9. The earliest service on any Defendant was made on September 8, 2016, by mail. Consequently, this notice is timely under 28 U.S.C. §1446(b) and Fed. R. Civ. P. 6(d) even for the earliest-served Defendants.

---

<sup>1</sup> Plaintiff's state court Complaint lists as a defendant "AMERICAN BROADCASTING COMPANY INC. a New York Corporation." American Broadcasting Companies, Inc. is the correct corporate name of the entity that it appears Plaintiff intended to include.

<sup>2</sup> Plaintiff's state court Complaint lists as a defendant "MARK BURNETT PRODUCTIONS, INC. Corporation d/b/a/ Mark Burnett Game Shows, Inc." Mark Burnett Game Shows, Inc. ("MBGSI"), the party which initially contracted with Plaintiff, has never been a d/b/a of Mark Burnett Productions, Inc. MBGSI was in fact a distinct entity, which changed its name to Finnmax, Inc. and has since merged into Finnmax LLC. Given this history, Finnmax LLC appears to be the defendant Plaintiff intended to include.

<sup>3</sup> Plaintiff's state court Complaint incorrectly included a comma between Television and Inc. in this entity's name.

10. This action is one over which this Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1332 and which may be, and hereby is, removed to this Court by Defendant.
11. This Notice of Removal is made expressly reserving all of Defendants' defenses, including defenses relating to this Court's lack of personal jurisdiction over Defendants.

AMERICAN BROADCASTING  
COMPANIES, INC., FINNMAX LLC, SONY  
PICTURES TELEVISION INC., COMCAST  
CORPORATION,

By their attorneys,

/s/ Nicole Kinsley  
David A. Kluft (BBO# 658970)  
[dkluft@foleyhoag.com](mailto:dkluft@foleyhoag.com)  
Nicole Kinsley, (BBO# 682528)  
[nkinsley@foleyhoag.com](mailto:nkinsley@foleyhoag.com)  
Foley Hoag LLP  
155 Seaport Blvd  
Boston, Massachusetts 02210  
(617) 832-1000

Dated: October 7, 2016

#### **CERTIFICATE OF SERVICE**

I hereby certify that on October 7, 2016, I caused a true copy of the foregoing document to be served on Plaintiff by First Class mail to:

Alan Kaufman  
89 Needham Street #2139  
Newton, MA 02461

/s/ Nicole Kinsley  
Nicole Kinsley